

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 29, 1998
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 10:16 a.m. The meeting was recessed by Deputy Mayor Wear at 11:15 a.m. to convene the Housing Authority and thereafter to convene the Redevelopment Agency Meeting simultaneously with the Special Joint Council Meeting with the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Wear at 11:22 a.m. with Mayor Golding not present. Deputy Mayor Wear adjourned the meeting at 12:29 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-290876 (Illness)
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour/Fishkin (ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-not present
(1) Council Member Mathis-present
(2) Council Member Wear-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas Bunnett of
Grace Evangelical Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Kehoe.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Jesse Albritten regarding sex offenders being placed in their community. Thinks the only way to stop this is to get the people in the community involved. He recommends establishing local leadership in his area of Golden Hills, Sherman and Logan.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A033-060.)

ITEM-PC-2:

Comment by Mark Baca regarding sex offenders in zip code 92102 and lax enforcement of Meagan's Law.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-088.)

ITEM-PC-3:

Comment by Don Stillwell regarding impeachment and asking elected officials to take a stand for impeachment of President Clinton.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A100-114.)

ITEM-PC-4:

Comment by David Rhodes inviting everyone to the Holocaust Program at San Diego State University on October 8, entitled "An Untold Story of the Holocaust".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A115-125.)

ITEM-PC-5:

Comment by Danny Glasser regarding many problems in the Sherman and Grant Hill areas. They need a stop sign at 24th Street. Requested the City Council to have a council meeting in their area.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A126-161.)

COUNCIL COMMENT:

ITEM-CC-1:

Councilmember Stallings commented on the success of The March in D.C. by Dani Grady, a breast cancer survivor. Also, go Padres!

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A165-181.)

ITEM-CC-2:

Councilmember Vargas thanked the San Diego Police Department for their efforts and success in removing the five six offenders who had been placed in his district.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A182-208.)

ITEM-CC-3:

Councilmember Kehoe said that effective October 1 all of California will have another increase in the price of milk. She asked the Council to take a stand urging the State Legislature to repeal the protectionist fees that drive the milk prices up.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A210-224.)

ITEM-CC-4:

Councilmember McCarty commented that a wonderful gift came to the Seventh District from Joan Kroc who donated \$80,000,000 to the Salvation Army for a new center to be built there. There is an endowment for \$40,000,000 to ensure it will always remain first class.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A269-317.)

ITEM-CC-5:

Councilmember Stevens said the Padres are playing today at 1:07 p.m. in Houston, and he commended them for their championship here in the west. He reminded everyone that October 5 is the last day to register to vote, and he encouraged everyone to vote. He commended the Fourth District residents for the pride and hope they have brought back to this district. He also thanked the Council for supporting putting up the 70 signs on the Martin Luther King Freeway to honor this great person and great humanitarian.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A318-355.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

8/10/98 Adjourned
8/11/98 Adjourned
8/17/98 Adjourned
8/18/98 Adjourned
8/24/98 Adjourned
8/25/98 Adjourned
8/31/98 Adjourned
9/01/98 Adjourned
9/07/98 Adjourned
9/08/98
9/14/98
9/15/98

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A356-359.)

MOTION BY WARDEN TO APPROVE THE MINUTES. Second by McCarty.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-31:

SUBJECT: Cabrillo Festival Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-346) ADOPTED AS RESOLUTION R-290734

Proclaiming September 27 through October 4, 1998 to be
"Cabrillo Festival Week" in San Diego, and urging all
our citizens to join in the commemoration of this
historic event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A360-416, A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-32:

SUBJECT: Coming Together to Conquer Cancer Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-280) ADOPTED AS RESOLUTION R-290735

Proclaiming September 26, 1998 to be "Coming Together
to Conquer Cancer Day" in San Diego;

Urging all people to support this day through their
presence in Washington, D.C., in San Diego, and in
communities across the country, and by dedicating
ourselves to the task of improving the quality of care
and life for those affected by cancer, leaving no
individual behind, for all of our citizens from this
day forward.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A418-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-50:

SUBJECT: Authorizing the Sale of .509 Acres at the Top of Mt.
Soledad for Use by a Private Non-Profit Corporation as
a War Memorial Site.

(District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
9/8/98. (Council voted 9-0):

(O-99-47) ADOPTED AS ORDINANCE O-18586 (New Series)

Authorizing the City Manager to sell .509 acres at the top of Mt. Soledad for use by a private nonprofit corporation as a War Memorial Site.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-51:

SUBJECT: Carmel Valley Planned District Regulations - Area of Applicability - Pinnacle Carmel Creek.

(Carmel Valley Community Area. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/8/98. (Council voted 9-0):

(O-99-35) ADOPTED AS ORDINANCE O-18587 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0602 relating to the Carmel Valley Planned District Regulations, Area of Applicability.

FILE LOCATION: PERM 96-7614 (65)

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-52:

SUBJECT: Amendments to the Municipal Code and Land Development Code to Enact Changes in the City's Regulatory Process for Emergency Shelters and Transitional Housing.

(City-wide.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances in Subitems A and B which were introduced on 9/8/98. (Council voted 9-0):

Subitem-A: (O-99-37) ADOPTED AS ORDINANCE O-18588 (New Series)

Amending Chapter X, Article 1, Divisions 1 and 5, of the San Diego Municipal Code, by amending Sections 101.0101.96, 101.0510, and 101.0581, relating to the Implementation of Regulatory Changes for Homeless Facilities.

Subitem-B: (O-99-38) ADOPTED AS ORDINANCE O-18589 (New Series)

Amending Chapter 14, Article 1, Divisions 3 and 4 of the San Diego Municipal Code (Land Development Code), by amending Sections 141.0313 and 141.0412 relating to Homeless Facilities.

FILE LOCATION: Subitems A and B: LAND-Progress Guide & General Plan - Housing Element (9)

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-not present.

* ITEM-53:

SUBJECT: Rezoning 27.31 Acres for the South Palm Vista Project.

(Otay Mesa Community Area. District-8.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/8/98. (Council voted 9-0):

(O-99-33 Cor. Copy) ADOPTED AS ORDINANCE O-18590 (New Series)

Conditionally rezoning 27.31 acres for the South Palm Vista Project located east of Interstate 805 between Palm Avenue and Otay Mesa Road, described as the West half, Northwest Quarter, Southwest Quarter, Section 30,

and portions of the East half, Northwest Quarter, Southwest Quarter, Section 30, and the Northwest Quarter, Section 30, Township 18 South, Range 1 West, SBBM, from the A1-10 and Hillside Review Overlay (HR) Zones into the A1-10, R1-5000/SLO (Single-Family Residential/Small Lot Overlay) and Hillside Review Overlay (HR) Zones.

FILE LOCATION: PERM-98-0270 (65)

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-100:

SUBJECT: Quarterly Night City Council Meeting for 10/5/98.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-355) ADOPTED AS RESOLUTION R-290736

Declaring that the quarterly night City Council Meeting shall be scheduled for Monday, October 5, 1998, and shall be conducted at Gage Elementary School, 6811 Bisby Lake Avenue, San Diego, California, scheduled to commence at 6:00 p.m., pursuant to the authority and provisions of Rule 1(d) of the Permanent Rules of Council, set forth in Section 22.0101 of the San Diego Municipal Code;

Directing the City Clerk to post and publish, as necessary, the notice of such meeting with the date, time, and location and make necessary preparations and arrangements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-101:

SUBJECT: Appointment of Management Team for the Purpose of Meeting and Conferring with Employee Organizations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-297) ADOPTED AS RESOLUTION R-290737

Appointing and designating the Management Team for purposes of meeting and conferring with recognized employee organizations, pursuant to appropriate and applicable provisions of law and Council Policy, the following persons:

Michael Uberuaga, City Manager
Bruce Herring, Deputy City Manager
Dan Kelley, Labor Relations Manager
Michael McGhee, Labor Relations Assistant
Stanley Griffith, Labor Relations Assistant
Theresa McAteer, Head Deputy City Attorney
Sharon Marshall, Deputy City Attorney

Appointing and designating the Personnel Director and the Retirement Administrator as members of the Management Team, pursuant to the above-cited provisions and Council Policy, for all purposes except meeting and conferring with employee organizations.

CITY MANAGER SUPPORTING INFORMATION:

In accordance with the provisions of California Government Code 3500 et seq., commonly referred to as the Meyers-Miliias-Brown Act (MMBA), the City Council has adopted Council Policy 300-6 which provides the rules and regulations which govern employer-employee relations. Contained in MMBA and Council Policy 300-6 is the authority for the City Council to designate a Management Team as its representative to carry out the meet and confer process. It is recommended that the resolution be adopted which establishes and identifies the Management Team for purposes of meeting and conferring with employee organizations in order to reach agreement on a Memorandum of Understanding (MOU) and /or successor agreements pursuant to Council Policy 300-6.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-102:

SUBJECT: Inviting Bids for the Lake Murray Boat Facilities and Comfort Station.

(Mission Trails Park Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-340 Cor.Copy) ADOPTED AS RESOLUTION R-290738

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expenses necessary for the Lake Murray Boat Facilities and Comfort Station on Work Order No. 183781;

Authorizing the Contract Services Division of the City of San Diego to invite bids for the work;

Authorizing the execution of a contract with the lowest responsible bidder;

Amending the FY 1999 Budget by increasing the total appropriations in Water Fund 41500 by \$361,500 from the Unappropriated Fund balance and transferring those funds into CIP-73-320.0, Lake Murray Boating Facilities;

Authorizing the expenditure of an amount not to exceed \$718,000 from CIP-73-320.0, Lake Murray Boating Facilities and Comfort Station;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

Lake Murray is located on the eastern boundary of the City of San Diego at 5510 Kiowa Drive. Vehicle access to the Boat Launching facility is provided by a paved two-lane road which is an extension of Kiowa Drive. The activities in the facilities

include boating, fishing, picnicking, sightseeing and hiking. The existing facilities include a concession stand, picnic areas, single concrete boat ramp, boat rental/ramp service, chemical toilets, and an existing parking area. The City of San Diego has received a State Boating & Waterway grant to provide the following improvements:

1. Demolition of existing concrete ramp and reconstruction of a new two-lane concrete ramp with a courtesy dock.
2. Removal of the existing chemical toilets and construction of a new restroom facility with flush toilets, wash basins and running water.
3. The parking area will be realigned and reconditioned. The new design will allow a minimum of 50 vehicles and 40 vehicles with trailers to park. The entire parking area will be resurfaced and re-striped.

These funds will provide all the financing necessary to complete the work approved by the State Boating and Waterways grant. This grant will reimburse \$643,000 of the City's cost for this project and the remaining funds in the amount of \$75,000 are available in Water Fund 41500.

Aud. Cert. 9900250.

FILE LOCATION: W.O. 183781 CONT - Golden Springs
Construction

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-103:

SUBJECT: Flood Water Storage Easement Abandonment - Waterville Road.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-307) ADOPTED AS RESOLUTION R-290739

Vacating the flood water storage easement located in Parcel 2 of Parcel Map PM-16227.

CITY MANAGER SUPPORTING INFORMATION:

The developer is constructing a new 70,000 square foot cold storage warehouse. The site is located east of I-805 and south of Otay Mesa Road in the Otay Mesa community. The new warehouse necessitates the reconfiguration of an existing flood water storage easement that was placed on the property for a previous development. The reconfiguration will result in the acquisition of new easement areas and the vacation of portions of the existing easement. The City Engineer has already accepted the two new easements as shown on Drawing No. 18825-B. City Council action is requested to vacate the unneeded portions of the existing easement and thereby complete this process. The vacation is shown on Drawing No. 18824-B. The existing easement was acquired at no cost to the City. Staff recommends approval.

FILE LOCATION: DEED F-7341

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104:

SUBJECT: National Fish and Wildlife Foundation (NFWF) Grant Applications.

(Rancho Penasquitos, Balboa Park and Mira Mesa
Community Areas. Districts-1,3 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-265 Cor. Copy) ADOPTED AS RESOLUTION R-290740

Authorizing the application to the National Fish and Wildlife Foundation (NFWF) Challenge Grant Program for the Los Penasquitos Canyon Preserve and the Florida Canyon Habitat Protection, Training and Enhancement Projects;

Authorizing the City Manager or representative to take all necessary actions to secure funding from the NFWF for the Los Penasquitos Canyon Preserve and the Florida Canyon Habitat Protection, Training and Enhancement Projects;

Authorizing the City Manager or representative to accept and expend funds if grants are secured;

Authorizing the Auditor and Comptroller to establish special interest-bearing funds for the grants.

CITY MANAGER SUPPORTING INFORMATION:

In reviewing the program criteria for Fiscal Year 1999 NFWF's Challenge Grant Program, the Park and Recreation Department staff has identified two applicable projects: Los Penasquitos Canyon

Preserve and the Florida Canyon Habitat Protection, Training and Enhancement Projects. Both projects will involve, to varying degrees, the removal of non-native plant species and the replacement with native species in support of sensitive riparian habitats. If approved, the projects would further continue the Department's proactive habitat preservation/restoration efforts in these parks. The Department is currently administering three riparian enhancement projects within our open space parks. The City's match to the grant will be "in-kind" services, in the form of labor, both on the part of volunteers and park ranger staff. The total grant funds requested is \$12,100 for the Florida Canyon project and \$11,255 for the Los Penasquitos Project. Funds will be used for supplies, equipment, and training for ranger staff.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-105:

SUBJECT: Settlement of the Personal Injury Claim of Carol Theodore.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-310) ADOPTED AS RESOLUTION R-290741

A Resolution approved by the City Council in Closed Session on Tuesday, September 8, 1998 by the following vote:
Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea;
Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$30,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Carol Theodore (Superior Court Case No. 714568, Carol Theodore v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$30,000 made payable to Carol Theodore and her attorney of record, Steven Boudreau, in full settlement of the lawsuit and all claims;

Declaring that the funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Carol Theodore against the City of San Diego, its agents and employees, as a result of an incident which occurred on October 23, 1996.

Aud. Cert. 9900240.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-106:

SUBJECT: Central Division Police Substation.

(Southeast Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-326) ADOPTED AS RESOLUTION R-290742

Authorizing the City Auditor and Comptroller to expend an additional amount not to exceed \$170,000 from CIP-36-056.0, Central Area Police Substation, Fund No. 30244, Transient Occupancy Tax, to fund the purchase of the Arrow Market Property, outdoor advertising sign, title, escrow, closing and miscellaneous costs, in connection with the construction of the Central Division Police Substation.

CITY MANAGER SUPPORTING INFORMATION:

The project provides for the construction of a new 23,500 square-foot Central Area Police Substation and a new 1,500 square-foot Community Service Center located at 25th and Imperial. The proposed substation will serve the central area, including Logan Heights, Barrio Logan, Sherman Heights, Golden Hill, Grant Hill and nearby areas. By Resolution R-289539, dated December 9, 1997, \$1,500,000 was authorized for property acquisition on this project and by Resolution R-290090, dated May 11, 1998, an additional amount of \$300,000 was authorized for property acquisition on this project for a total of \$1,800,000. The approval of this resolution will authorize an additional \$170,000 for property acquisition for a total of \$1,970,000. Negotiations have been completed with the property owners and they have accepted the City's offer and the escrow has been opened for the purchase of their property.

Aud. Cert. 9900267.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-107:

SUBJECT: Transfer of Funds for Mira Mesa Civic Center Phase I.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-285) ADOPTED AS RESOLUTION R-290743

Authorizing the appropriation of an additional \$100,000
from Fund 10516 to CIP-37-252.0;

Amending the FY99 CIP Budget to include the \$100,000
transfer from Fund 10516;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$100,000 from Mira
Mesa Community Fund 10516 to CIP-37-252.0, Mira Mesa
Civic Center;

Authorizing the expenditure of an amount not to exceed
\$100,000 from CIP-37-252.0, Mira Mesa Civic Center.

CITY MANAGER SUPPORTING INFORMATION:

This project includes the renovation and modification of the old
Mira Mesa Library to accommodate the Regional Teen Center and the
Police Storefront with the Retired Senior Volunteer Patrol (RSVP)
office. Construction started in January 1998. During the

construction process and unveiling of walls and roof, many unforeseen conditions arose. These conditions required complete new roofing, complete new A/C ducting, seismic retrofitting, new structural code compliance and ADA required compliance. Many of those modifications were not anticipated in the original design. This additional funding will be used to cover the additional change order costs. This request is to transfer \$100,000 from the Mira Mesa Community fund pursuant to the Mira Mesa Community Council unanimous approval of the transfer on Monday, August 3, 1998.

Aud. Cert. 9900225.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-108:

SUBJECT: Angle Parking on A Street.

(Greater Golden Hill Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-246) ADOPTED AS RESOLUTION R-290744

Approving angle parking on the south side of A Street
between Edgemont Street and the alley parallel to and
east of Edgemont Street;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the south side of A Street between Edgemont Street and the alley parallel to and east of Edgemont Street. Currently, there is parallel parking in this segment. This action will extend the angle parking already on the rest of the south side of this block. Council approval is required, according to Municipal Code Section 86.03. A petition representing the one affected property owner was submitted in support of this action. The Greater Golden Hill Planning Committee supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-109:

SUBJECT: Commercial Vehicle Prohibition on Hillside Drive.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-247) ADOPTED AS RESOLUTION R-290745

Prohibiting commercial vehicles with a gross vehicle weight rating of over 10,000 pounds from operating on Hillside Drive between Torrey Pines Road and Via Siena;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action prohibits commercial vehicles with a rated capacity of five tons or more from using Hillside Drive between Torrey Pines Road and Via Siena. By law, passenger buses, public utility vehicles, and commercial vehicles with an origin or destination on the affected street are exempt from this provision. Alternate routes for commercial vehicles include: Torrey Pines Road, Via Capri, and Hidden Valley Road. Council approval is required, according to Municipal Code, Section 85.04. This request originated from the office of Councilmember Harry Mathis. The La Jolla Community Planning Association supports this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-110:

SUBJECT: Excusing Mayor Golding from the Council Meeting of
9/15/98.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-357) ADOPTED AS RESOLUTION R-290746

Excusing Mayor Susan Golding from attending the regularly scheduled Council meeting of Tuesday, September 15, 1998, due to other City business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-111:

SUBJECT: Excusing Councilmember Mathis from the Land Use and
Housing Committee Meeting of 9/9/98.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-327) ADOPTED AS RESOLUTION R-290747

Excusing Councilmember Harry Mathis from attending the regularly scheduled Land Use and Housing Committee meeting of September 9, 1998, due to his attendance at an out of town meeting as City Council representative to LAFCO.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-112:

SUBJECT: Excusing Councilmember Kehoe from the Council Meeting
of 9/15/98 and NR&C Committee Meeting of 9/16/98.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-353) ADOPTED AS RESOLUTION R-290748

Excusing Councilmember Kehoe from attending the
regularly scheduled Council meeting of Tuesday,
September 15, 1998 and the Natural Resources and
Culture Committee meeting of Wednesday, September 16,
1998, due to personal business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-113:

SUBJECT: Captain Kraig Kessler Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-282) ADOPTED AS RESOLUTION R-290749

Recognizing the outstanding contributions of Captain Kraig Kessler to protect and serve the citizens of the City of San Diego;

Proclaiming September 28, 1998 to be "Captain Kraig Kessler Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A225-268, A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-114:

SUBJECT: Donald Ross Brooks 1998 Retired Labor Leader of the Year.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-322) ADOPTED AS RESOLUTION R-290750

Congratulating Donald Ross Brooks on his receipt of the 1998 Retired Labor Leader of the Year Award in recognition of his outstanding record of contributions to the enhancement of the quality of life in San Diego, and extending to him best wishes for continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-115:

SUBJECT: John Fee 1998 JOHNS Fellowship Award.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-323) ADOPTED AS RESOLUTION R-290751

Congratulating John Fee on his receipt of the 1998 JOHNS Fellowship Award in recognition of his outstanding contributions to the enhancement of the quality of life in San Diego, and extending to him best wishes for continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-116:

SUBJECT: Bill Tweet 1998 Labor Leader of the Year.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-99-324) ADOPTED AS RESOLUTION R-290752

Recognizing Bill Tweet on his receipt of the 1998 Labor Leader of the Year Award in recognition of his outstanding contributions to the enhancement of the quality of life in San Diego, and extending to him best wishes for continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-117:

SUBJECT: Sarah Woolridge Dorn Appreciation Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-298) ADOPTED AS RESOLUTION R-290753

Saluting Sarah Dorn who has been blessed to reach the century mark in her life;

Proclaiming September 16, 1998 to be "Sarah Woolridge
Dorn Appreciation Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-118:

SUBJECT: Linda Vista Second Baptist Church Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-325) ADOPTED AS RESOLUTION R-290754

Commending Reverend David C. Greene for his dedication
and devotion and congratulating the members of the
Linda Vista Second Baptist Church on their Fifty-Fifth
Anniversary;

Proclaiming September 13, 1998 to be "Linda Vista
Second Baptist Church Fifty-Fifth Anniversary Day" in
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-119:

SUBJECT: Psychiatric Emergency Response Team (P.E.R.T.)
Clinician Services.

(Centre City, Uptown, Balboa Park, Greater Golden Hill,
Barrio Logan Community Areas. Districts-2, 3 & 8.)

MAYOR GOLDING'S AND CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-311) ADOPTED AS RESOLUTION R-290755

Accepting a loan repayment in the amount of \$55,000 to
the City of San Diego from the Redevelopment Agency of
the City of San Diego;

Authorizing the Auditor and Comptroller to appropriate
and transfer not to exceed \$55,000 to the Human Care
Services Fund for a Psychiatric Emergency Response Team
(PERT) clinician to serve as part of the Homeless
Outreach Team;

Authorizing an agreement with Pert, Inc., for providing
a Psychiatric Emergency Response Team clinician for the
Homeless Outreach Team project;

Authorizing the expenditure of not to exceed \$55,000
from Fund 10227.

CITY MANAGER SUPPORTING INFORMATION:

Recently, at the Mayor and Council's request, staff formed a
problem-solving team led by the Police Department to improve
outreach efforts to homeless individuals residing downtown and
the surrounding communities. In partnership with the County, the

City is piloting a Homeless Outreach Team (Team) to address the many social service and mental health issues confronting the homeless. The Team will consist of two City of San Diego Police Officers, one County Social Service Professional, one Project Manager (City) and one Psychiatric Emergency Response Team (P.E.R.T.) Clinician. All staff and resources are in place, except for the P.E.R.T. Clinician for which the funding is recommended in this action. The Team will work collaboratively to assist homeless individuals with identifying and accessing appropriate social service and mental health resources. Staff believes that a proactive and comprehensive approach to resolving individual homelessness concerns will: (1) When appropriate, connect homeless individuals with existing social service and mental health resources; (2) Tend towards decreasing the number of people living on the street; (3) Diminish the need for additional large shelters; and (4) Enhance public health and safety. On August 28, 1998, the Centre City Development Corporation (CCDC) Board approved a \$55,000 loan repayment to the City to support the Homeless Outreach Team Effort, subject to approval by the Redevelopment Agency Board. It received unanimous approval, with support from the Downtown Partnership and CCDC's Children Committee. This item is paired with an action for consideration by the Redevelopment Agency on September 29, 1998. If approved, the City will contract with the San Diego Alliance for the Mentally Ill to provide the P.E.R.T. Clinician services from October 1, 1998 to June 30, 1999 for a cost not to exceed \$55,000.

Aud. Cert. 9900253.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-120:

SUBJECT: Industrial/Retail Space Lease - San Diego Police Department.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-300) ADOPTED AS RESOLUTION R-290756

Authorizing the execution of a five-year lease agreement with Peter and Grace Hui, for an approximately 1,800 square foot Police Community Relations Storefront Office at 3636 University Avenue, at an initial monthly rent of \$1,200;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$9,600 from the Police Department Budget, General Fund FY 1999, for rent for the period of November 1, 1998 through June 30, 1999.

CITY MANAGER SUPPORTING INFORMATION:

The Police Department has requested the establishment of a Community Relations Storefront Office at 3636 University Avenue. The new storefront will provide police services to the community of City Heights.

A Summary of the proposed lease is as follows:

Commencement Date: Upon Lessor's delivery of completed and acceptable space to Lessee, which shall occur approximately sixty (60) days after mutual lease execution.

Use: Police Department Community Relations Storefront Office
Size: Approximately 1,800 Square Feet
Term: Five years, with one five-year option to extend
Rent: \$1,200 per month (\$0.67 per square foot) for the first
year. This rental rate is below market rate as compared
to comparable space in the area
Rent Adjustment: \$1,236 per month for the second year
\$1,273.08 per month for the third year
\$1,311.27 per month for the fourth year
\$1,350.61 per month for the fifth year

Tenant improvements: An estimated \$15,912 in tenant improvements
will be provided by Lessor at Lessor's cost.

Utilities: Lessee pays only separately metered electric charges.
Lessor pays all other charges.

Aud. Cert. 9900265.

FILE LOCATION: LEAS-Peter and Grace Hui

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-121:

SUBJECT: Lease Agreement with M&S California Fund for a Police
Department Special Events Planning and Coordination
Office.

(Middletown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-296) ADOPTED AS RESOLUTION R-290757

Authorizing a three-year lease agreement with M&S California Fund, L.P., (Lessor), for a 1,964 square-foot office building for a Police Department Special Events Planning and Coordination Office located at 3033 5th Avenue, Suite 205, San Diego, California, at an initial monthly rent of \$2,651.40, with annual increases in rent;

Authorizing the expenditure of not to exceed \$24,658.11 from the Police Department Budget, General Fund FY 1998, for rent from September 22, 1998 through June 30, 1999.

CITY MANAGER SUPPORTING INFORMATION:

The Police Department has requested the establishment of an office at 3033 Fifth Avenue. The office will be dedicated to special events planning and administration.

A summary of the proposed lease is as follows:

Commencement Date: September 22, 1998

Use: Special events planning and administration office

Size: 1,964 Square Feet

Term: Three years from September 22, 1998 through September 21, 2001

Rent: \$2,651.40 per month (\$1.35 per square foot), from September 22, 1998 until September 21, 1999

Rent Adjustment: Rent increases to \$2,729.96 per month from September 22, 1999 until September 21, 2000, with a final raise to \$2,808.52 per month effective September 22, 2000, until September 21, 2001

Tenant Improvements: Painting and new carpeting throughout at the landlord's expense. Lessee pays all utility charges.

Aud. Cert. 9900266.

FILE LOCATION: LEAS-M&S California Fund, L.P., (Lessor)

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-122:

SUBJECT: Agreement with Nasland Engineering for La Jolla -
Pacific Beach Trunk Sewer Manhole Rehabilitation.

(La Jolla and Pacific Beach Community Areas.
Districts-1, 2 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-290) ADOPTED AS RESOLUTION R-290758

Authorizing an agreement with Nasland Engineering (San Diego, CA), to perform consultant services for the La Jolla - Pacific Beach Trunk Sewer Manhole Rehabilitation;

Authorizing the Auditor and Comptroller to transfer not to exceed \$252,447 from Fund 41506, CIP-46-111.0, Rose Canyon Trunk Sewer to Fund 41506, CIP-46-194.0/CIP-46-194.4, Annual Allocation Trunk Sewer Rehabilitation/La Jolla - Pacific Beach Trunk Sewer Manhole Rehabilitation;

Authorizing the expenditure of not to exceed \$252,447 from CIP-46-194.0, Annual Allocation - Trunk Sewer Rehabilitation, Sub - CIP-46-194.4, La Jolla - Pacific Beach Trunk Sewer Manhole Rehabilitation.

CITY MANAGER SUPPORTING INFORMATION:

The agreement is for the assessment and providing rehabilitation design for approximately 250 deteriorating manholes and vaults on the first and second La Jolla - Pacific Beach Trunk Sewer. Recently, City staff performed a preliminary inspection of 22 manholes and vaults, which proved to be badly in need of repair. A list of five consultants was provided by the City's Consultant Coordinator. The firms were interviewed in conformance with Council Policy 300-7, and the firm of Nasland Engineering was selected. Nasland Engineering's responsibilities will include structural examination of the manholes/vaults, preparation of construction plans, specifications, cost estimates, and support services during bidding and construction, for a contract not to exceed \$252,447. The sub-consultants on this project are Villalobos & Associates (MBE 18.4 percent), Simon Wong Engineering (MBE 6.7 percent) and Allied Barracade. The total MBE participation is 25.1 percent.

Aud. Cert. 9900174.

WWF-98-343.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-123:

SUBJECT: Scripps Miramar Ranch Public Facilities Financing Plan
FY 1996 Amendment - Park and Traffic Signal Projects.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-334) ADOPTED AS RESOLUTION R-290759

Approving the amendment to the Scripps Miramar Ranch
Public Facilities Financing Plan for FY 1996;

Amending the FY 1999 Capital Improvements Program
budget by adding CIP-62-304.0, Spring Canyon and Blue
Cypress/Semillon Intersections Traffic Signal;

Amending the FY 1999 Capital Improvements Program
budget by authorizing the appropriation and transfer of
an amount not to exceed \$350,000 from the Special Park
Fee (SPF No. 11230) fund balance to CIP-29-430.0,
Hourglass Swimming Pool in Mira Mesa Community Park No.
3;

Amending the FY 1999 Capital Improvements Program by
authorizing the transfer of an amount not to exceed
\$240,000 for land acquisition for Fairbrook
Neighborhood Park from the Facilities Benefit
Assessment Fund (FBA No. 79007), CIP-29-761.0 to
CIP-62-304.0, Spring Canyon Road and Blue
Cypress/Semillon Intersections Traffic Signal;

Authorizing the expenditures of amounts not to exceed:
1) \$350,000 from CIP-29-430.0 (SPF 11230) for the
Hourglass Swimming Pool, and 2) \$240,000 from
CIP-62-304.0 (FBA 79007) for the Spring Canyon and Blue
Cypress/Semillon Intersections Traffic Signal;

Authorizing the expenditure of an amount not to exceed \$150,000 from the SPF (11230) fund balance for the Scripps Ranch Community Park Sodding project to be reimbursed to Miramar Ranch North Partnership (MRN) for the community park pursuant to the City/MRN Community Park Dedication and Improvement Agreement (Document No. RR-285730, May 15, 1995).

CITY MANAGER SUPPORTING INFORMATION:

This Council action would provide for funding of three urgent capital improvement projects to serve the Scripps Miramar Ranch (SMR) community as follows:

- 1) Provide up to \$350,000 from Special Park Fee Fund No. 11230 (SPF) to assist in funding the Hourglass Swimming Pool at Mira Mesa Community Park No. 3. This funding will be needed in the near term to complete the project.
- 2) Provide \$150,000 from the SPF to additionally reimburse the Miramar Ranch North (MRN) Partnership for installing sod to the Scripps Ranch Community Park. The MRN Partnership is currently installing sod rather than hydroseed turf at the Scripps Ranch community's request and supported by the City in order to expedite completion of the Park. This adds funds to the park project being constructed pursuant to the City/MRN Community Park Dedication and Improvement Agreement (Doc. No. RR-285730, May 15, 1995).
- 3) Provide up to \$240,000 from Facilities Benefit Assessment (FBA) Fund No. 79007 to construct a traffic signal at the Spring Canyon Road and Blue Cypress/Semillon Boulevard intersections. This is necessary to enable school children to safely cross Spring Canyon Road this school year due to new school attendance boundaries. The necessary funds for these three projects are being allocated from SPF fund balances and reallocated from the FY 1999 FBA continuing appropriation of \$350,000 for Fairbrook Neighborhood Park land acquisition. Since the City's appraisal for that land purchase was less than \$1,000,000, the reallocation of \$240,000 can be made. Since these projects have been recently

created to meet urgent community needs, they must be added by amending the currently adopted Scripps Miramar Ranch Public Facilities Financing Plan for FY 1996 and the FY 1999 Capital Improvements Program and by appropriating and authorizing their expenditures. These projects and funding reallocation have been requested by the Scripps Ranch Planning Group and other leadership in the entire community.

Aud. Cert. 9900277.

FILE LOCATION: STRT-FB-11

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-124:

SUBJECT: Excusing Councilmember McCarty from the Rules Committee Meeting of 8/3/98.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-99-361) ADOPTED AS RESOLUTION R-290760

Excusing Councilmember Judy McCarty from attending the Rules, Finance and Intergovernmental Relations Committee Meeting of August 3, 1998.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-125:

SUBJECT: AIDS Walk Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-99-373) ADOPTED AS RESOLUTION R-290761

Proclaiming Sunday, October 4, 1998 to be "AIDS Walk
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200:

SUBJECT: Amended and Restated Agreement with John Powell &
Associates to Perform Engineering Services for the
Deerfield Water Pump Plant.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-99-49) INTRODUCED, TO BE ADOPTED OCTOBER 19, 1998

Introduction of an Ordinance authorizing an amended and restated agreement with John Powell & Associates to perform engineering services for the Deerfield Water Pump Plant;

Authorizing the expenditure of not to exceed \$486,886 from Water Revenue Fund 41500, CIP-73-268.0.

CITY MANAGER SUPPORTING INFORMATION:

The Deerfield Water Pump Plant will replace the existing Hillandale Water Pump Plant that serves the San Carlos Community. The Hillandale Pump Plant was placed in service in 1974 and has been plagued by operational problems since that time. The City of San Diego entered into an agreement with John Powell and Associates (Powell) on February 8, 1988 (R-270306) authorizing design services to replace the facility. Originally, the Pump Plant was planned to be located near the intersection of Navajo Road and Waring Road. After numerous meetings with the community, an alternate project site was selected near the intersection of Deerfield Street and Mission Gorge Road, and Council approved the selection on February 27, 1995 (R-285384). The City of San Diego entered into an agreement with John Powell and Associates on May 11, 1992 (R-279927) for engineering services for the design of Deerfield Water Pump Plant. The project design work was placed on hold numerous times due to lack of funding to build the pump plant. In December 1997, the Water Department conducted a value engineering study which identified design revisions necessary to lower life-cycle costs and address current operational needs. Due to the numerous revisions required to bring the agreement up to current standards, the City and Powell wish to enter into an amended and restated agreement. Engineering services in the amount of \$261,886 are needed to

update the existing design documents, complete the design, and to provide engineering services during bidding and construction. Funds in the amount of \$225,000 are needed to cover in-house project management and administrative costs which have accumulated since the project's inception in 1988.

Aud. Cert. 9900239.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A503-B199.)

The hearing began at 10:54 a.m. and halted at 11:14 a.m.

CONSENT MOTION BY WARDEN TO INTRODUCE THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201:

SUBJECT: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(See City Manager's Update. San Ysidro and Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-199) ADOPTED AS RESOLUTION R-290762

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTION AND TO HAVE THE STAFF REPORT ON OCTOBER 19, 1998. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202:

SUBJECT: Alternate actions related to Street Name Change - Fanuel Street to Cardeno Drive between Calle Vaquero and Foothill Boulevard.

(La Jolla and Pacific Beach Community Areas.
Districts-1 & 6.)

TODAY'S ACTION IS:

Adoption of either Subitem A OR Subitem B.

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A:

Subitem-A: (R-99-194) ADOPTED AS RESOLUTION R-290763

Changing the section of Fanuel Street between Calle Vaquero and Foothill Boulevard to Cardeno Drive;

Declaring that the street signage shall indicate both the old street name and the new street name for a period of six months following the adoption of this Resolution for the convenience of the general public;

Authorizing the installation of the necessary signs and markings.

Alternative:

Subitem-B: (R-99-195) NOTED AND FILED

Changing the section of Fanuel Street between Calle Vaquero and Archer Street to Cardeno Drive;

Declaring that the street signage shall indicate both the old street name and the new street name for a period of six months following the adoption of this Resolution for the convenience of the general public;

Authorizing the installation of the necessary signs and markings.

CITY MANAGER SUPPORTING INFORMATION:

An application has been filed with the City of San Diego to change Fanuel Street to Cardeno Drive between Calle Vaquero and Foothill Boulevard. The two street names currently exist and Fanuel Street changes to Cardeno Drive at Calle Vaquero as you travel northward out of Pacific Beach and into La Jolla. This request is to move that street name transition south to the intersection of Foothill Boulevard and Fanuel Street. All of the affected property owners north of Archer Street are in favor of the proposal. Out of the nine abutting property owners between Foothill Boulevard and Archer Street four are opposed, two of which address off Fanuel Street. The Pacific Beach and La Jolla Community Planning Groups approve of the proposed name change. One letter of opposition has been received from a non-abutting property owner. Staff sees the name change as a way to reduce the possible confusion created by the current location of the Fanuel Street/Cardeno Drive transition. Staff finds the street name change to be consistent with City policies and recommends the name be changed from Calle Vaquero to Foothill Boulevard. The intersection of Fanuel Street with Foothill Boulevard is signalized. It is staff's recommendation that this is the most appropriate location for a transition in street names.

ALTERNATIVE:

Rename Fanuel Street to Cardeno Drive between Archer Street and Calle Vaquero as originally requested by the abutting property owners.

FILE LOCATION: Subitems A and B: DEED F-7342

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTION FOR SUBITEM A, AND TO NOTE AND FILE SUBITEM B. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-203:

SUBJECT: Inviting Bids for the Implementation of Job Order Contracting System.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-8 COR.COPY) ADOPTED AS RESOLUTION R-290764

Inviting bids for the Implementation of Job Order Contracting System on Work Order No. 002003;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$250,000 from Water Fund 41500 and an amount not to exceed \$750,000 from Sewer Fund 41506, provided that the City

Auditor first furnishes a certificate demonstrating that the funds are, or will be on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-99021C)

CITY MANAGER SUPPORTING INFORMATION:

The Water and Wastewater Facilities Division has a continuing need for as-needed construction contracts for small accelerated CIP construction projects such as repairs needed for existing sewer manholes, sewer and water main replacements and/or rehabilitations. This Job Order Contract (JOC) will enable the Division to achieve its objective of rapidly engaging contractors in critical and necessary work, requested by the operating divisions, while lowering costs. Each JOC is competitively procured using a request for bids a factor or multiplier which is applied to all of the unit prices in the contract. The contractor with the lowest factor and a responsive, responsible bid is awarded the contract. When work is ordered by task order, the contractor and the City representative meet to scope the work and prepare a task order with unit prices in accordance with the contract. Work is accomplished by the issuance of individual task orders to the contract. The City is under no obligation to guarantee and give work to the contractor, therefore, the contractor will have an incentive to deliver quality work in a timely fashion in order to get additional work. The City will have one-year renewal option for this contract. WBE/MBE: Due to the nature of the as-needed construction contract project, the percentage of MBE/WBE subcontractors is dependent upon the tasks authorized by the City and type of work required by these tasks.

WWF-98-328.

FILE LOCATION: W.O. 002003

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-204:

SUBJECT: Two actions related to Implementation of an Owner
Controlled Insurance Program and Safety Program for the
Water Capital Improvements Program.

(See City Manager Report CMR-98-188.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-328 Cor. Copy) ADOPTED AS RESOLUTION
R-290765

Authorizing an agreement with J&H Marsh & McLennan,
Inc., to provide and manage an Owner Controlled
Insurance Program (OCIP) for the Water System Capital
Improvements Program for an amount not to exceed
\$265,000 over the course of the next 2 1/2 years
terminating on December 31, 2000;

Authorizing the expenditure of not to exceed \$2,168,796
from budget funds, to cover insurance premium costs for
the OCIP, over the course of the next 2 1/2 years,
terminating on December 31, 2000.

Subitem-B: (R-99-329) ADOPTED AS RESOLUTION R-290766

Authorizing a first amendment to the agreement with Parsons Infrastructure and Technology Group, Inc., to include a safety program at a cost not to exceed \$2,046,877 over the first 2 1/2 years of the program ending on December 31, 2000.

Aud. Certs. 9900245/9900246/9900247.

FILE LOCATION: Subitems A and B: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTIONS. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-205:

SUBJECT: Consultant Agreement with CH2M Hill for the Alvarado Water Filtration Plant Upgrade and Expansion Phase I.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-331)ADOPTED AS RESOLUTION R-290767

Authorizing an agreement with CH2M Hill, for construction management services related to the construction of Alvarado Water Filtration Plant Upgrade and Expansion Phase I;

Declaring that this agreement will be a phase funded agreement anticipated to be phase funded over three fiscal years;

Authorizing the expenditure of not to exceed \$4,500,000 from Water Reserve Fund 41500, CIP-73-261.0, Alvarado Filtration Plant - Upgrade and Expansion, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Water Filtration Plant (AWFP) upgrade and expansion - Phase I project is a large and complex undertaking. Construction of the project will occur over 33 months and cost approximately \$40 million. CH2M Hill has been selected from among the best Construction Management firms in the nation following an extensive selection and interview process. City staff believes CH2M Hill has the expertise and extensive experience on similar projects to assure the on time, cost effective construction of this key project. This project is part of the water system Capital Improvements Program approved by the City Council in August 1997 as part of the Strategic Plan for Water Supply. This project consists of the expansion, upgrade, renovation, automation and modernization of the AWFP. The Project includes yard piping, filters, pump stations, chemical buildings, rapid mix and an emergency generator facility. The Plant provides water service to approximately 500,000 city residents each day.

Aud. Cert. 9900254.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-330:

SUBJECT: Three actions related to Black Mountain Ranch (North
City Future Urbanizing Area Subarea I) Facilities
Benefit Assessment (FBA).

(See City Manager Report P-98-127; Public Facilities
Financing Plan and FBA, June 1998 Draft. Black
Mountain Ranch Subarea I. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-29) ADOPTED AS RESOLUTION R-290768

Adoption of a Resolution designating areas of benefit
in Black Mountain Ranch, confirming the description of
Public Facilities Projects, the Community Financing
Plan and Capital Improvement Program with respect to
said Public Facilities Projects, the method for
apportioning the costs among the parcels within the
areas of benefit and the amount of the Facilities
Benefit Assessment charged to each such parcel, the
basis and methodology for assessing and levying
discretionary automatic annual increases in Facilities
Benefit Assessments, and proceedings thereto, and
ordering of the proposed Public Facilities Project in
the matter of Black Mountain Ranch Facilities Benefit
Assessment Areas.

Subitem-B: (R-99-31) ADOPTED AS RESOLUTION R-290769

Adoption of a Resolution rescinding the existing North City Future Urbanizing Area Interim Development Impact Fees within Black Mountain Ranch (Subarea I) contingent upon the approval of a phase shift for Subarea I in November 1998;

Declaring that the assessment fee schedule contained in the Black Mountain Ranch Public Facilities Financing Plan, as adopted and approved in Resolution R-290509, is an appropriate and applicable development impact fee for all properties within the Black Mountain Ranch (Subarea I of the North City Future Urbanizing Area) Community that have either never been assessed under the Black Mountain Ranch Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

Subitem-C: (R-99-32) ADOPTED AS RESOLUTION R-290770

Adoption of a Resolution authorizing the City Auditor and Comptroller to establish the Black Mountain Ranch Facilities Benefit Assessment Fund No. 79012.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/1/98, LU&H voted 3-0 to approve on consent with the understanding the City Manager will resolve the issue regarding calculation of fees before it is forwarded to the City Council. (Councilmembers Mathis, Stevens and McCarty voted yea. Councilmembers Stallings and Vargas not present.)

FILE LOCATION: Subitems A, B and C: STRT-FB-19

COUNCIL ACTION: (Tape location: A503-B199.)

The hearing began at 10:54 a.m. and halted at 11:14 a.m.

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTIONS. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-331:

SUBJECT: Three actions related to Pacific Highlands Ranch (Subarea III) Facilities Benefit Assessment (FBA).

(See City Manager Report P-98-123; Public Facilities Financing Plan and FBA, FY99 Draft. Pacific Highlands Ranch (Subarea III). District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-83 COR.COPY) ADOPTED AS RESOLUTION
R-290771

Adoption of a Resolution designating two areas of benefit in Pacific Highlands Ranch and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the areas of benefit and the amount of the Facilities Benefit Assessments charged to each parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering of the proposed Public Facilities Project in the matter of Pacific Highlands Ranch Facilities Benefit Assessment Areas.

Subitem-B: (R-99-84) ADOPTED AS RESOLUTION R-290772

Adoption of a Resolution rescinding the existing North City Future Urbanizing Area Interim Development Impact Fees within Pacific Highlands Ranch (Subarea III) contingent upon the approval of a phase shift for Subarea III in November 1998;

Declaring the assessment fee schedule contained in the Pacific Highlands Ranch (Subarea III of the North City Future Urbanizing Area) Public Facilities Financing Plan, to be an appropriate and applicable development impact fee for all properties within the Pacific Highlands Ranch (Subarea III of the North City Future Urbanizing Area) Community that have either never been assessed under the Pacific Highlands Ranch (Subarea III of the North City Future Urbanizing Area) Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

Subitem-C: (R-99-85) ADOPTED AS RESOLUTION R-290773

Adoption of a Resolution authorizing the City Auditor and Comptroller to establish a Pacific Highlands Ranch Facilities Benefit Assessment Fund 79011.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On July 1, 1998, LU&H voted 3-0 to approve the City Manager's recommendation to adopt the Financing Plan and Facilities Benefit Assessment for FY 1999. (Councilmembers Mathis, Stevens and McCarty voted yea. Councilmembers Stallings and Vargas not present.)

FILE LOCATION: Subitems A, B and C: STRT-FB-20

COUNCIL ACTION: (Tape location: A503-B199.)

The hearing began at 10:54 a.m. and halted at 11:14 a.m.

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTIONS. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-332:

SUBJECT: Appeal of Michael Turk from the Decision of the Planning Commission in Approving the Coastal Development Permit/Hillside Review Permit. (Armstrong Garden Center).

(CDP/HRP-96-7719. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to deny the appeal and grant the permit:

Subitem-A: (R-99-523) ADOPTED AS RESOLUTION R-290774

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-96-7719 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-99-524) ADOPTED AS RESOLUTION R-290775
DENYING THE APPEAL AND GRANTING THE
PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

CITY MANAGER SUPPORTING INFORMATION:

The Armstrong Garden Center project site is located within an existing 3.2-acre commercial center on the northeast corner of Via de la Valle and San Andreas Drive. The commercial center includes three building sites, two of which have been developed with a bank and office building. The Armstrong Garden is proposed to be constructed on the remaining vacant building site, which is flat, and was previously graded pursuant to a coastal development/grading permit issued in 1979. The Armstrong Garden Center project consists of one 27.7-foot high, single-story, 4,800 square-foot garden building, a 20,000 square-foot nursery sales yard with associated wood-frame trellis, 118 parking spaces (97 required), and a plantable crib-wall (19-feet maximum height) along the northeast slope.

LEGAL DESCRIPTION:

The project site is located at 2840 Via de la Valle, north of San Andreas Drive, in the Via de la Valle Community and more particularly described as Lot 5, Map-8646 and Lot 2, Map-6737.

FILE LOCATION: Subitems A and B: PERM-96-7719 (65)

COUNCIL ACTION: (Tape location: B311-173.)

The hearing began at 11:22 a.m. and halted at 11:53 a.m.

Testimony in opposition by Michael Turk.

Testimony in favor by Anne Fletcher and Peter Fletcher.

MOTION BY MATHIS TO ADOPT SUBITEM A; AND ADOPT SUBITEM B TO DENY THE APPEAL AND GRANT THE PERMIT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-333:

(Continued from the meeting of September 15, 1998, Item 342, at the request of Councilmember Warden, until all issues are resolved.)

SUBJECT: Scripps Gateway: Matter of a proposed Progress Guide and General Plan Amendment(PG & GP)/Community Plan Amendment(CPA)/Rezone(RZ)/Street Vacation(SA) and Easement Abandonment/Tentative Map(TM)/Planned Industrial Development(PID)/Planned Commercial Development(PCD)/Planned Residential Development(PRD)/Hillside Review Permit(HRP). Scripps Gateway is a master planned project consisting of 242.1 total gross acres and maximum of 354 lots.

(Case-92-0466. Miramar Ranch North Community Plan Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, C and D; and adopt Subitems E, and F to approve the permits and map and introduce the ordinance in Subitem B:

Subitem-A: (R-99-215) ADOPTED AS RESOLUTION R-290776

Adoption of a Resolution certifying that the information contained in LDR-92-0466 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that the

Environmental Impact Report reflects the independent judgement of the City of San Diego as Lead Agency. Stating for the record that the final Environmental Impact Report has been reviewed and considered prior to approving the project. Adopting the Findings and Statement of Overriding Considerations. Adopting the Mitigation, Monitoring and Reporting Program.

Subitem-B: (O-99-34) INTRODUCED, TO BE ADOPTED
OCTOBER 19, 1998

Introduction of an Ordinance rezoning 4.5 acres in the Miramar Ranch North Community Planning area.

Subitem-C: (R-99-216) ADOPTED AS AMENDED AS RESOLUTION
R-290777

Adoption of a Resolution amending the Miramar Ranch North Community Plan.

Subitem-D: (R-99-217) ADOPTED AS AMENDED AS RESOLUTION
R-290778

Adoption of a Resolution authorizing the vacation of a segment of Road Survey 188, together with slope and landscaping easements as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-E: (R-99-525) ADOPTED AS AMENDED AS RESOLUTION
R-290779 APPROVING TENTATIVE MAP

Adoption of a Resolution approving/or denying Tentative Map TM-92-0466.

Subitem-F: (R-99-526) ADOPTED AS AMENDED AS RESOLUTION
R-290780 APPROVING PERMITS

Adoption of a Resolution approving/or denying permits PID/PCD/HRP-92-0466.

SUPPORTING INFORMATION:

Scripps Gateway is a master planned project consisting of 242.1 total gross acres and maximum of 354 lots. Development would consist of approximately 25.9 net acres of industrial development over six lots, approximately 12.8 net acres of commercial development over seven lots, approximately 7.5 net acres of multi-family development with a maximum of 135 dwelling units on one lot and approximately 142.5 net acres of single family development with a maximum of 309 dwelling units, approximately 85.9 acres of open space, approximately 20.2 acres for brush management, and other lots for signage, open space, easements, and public streets. The project would require Alternative Compliance for the Brush Management Program. The project is located immediately east of Interstate 15 and north and south of Scripps Poway Parkway in the Miramar Ranch North Community Plan area.

LEGAL DESCRIPTION:

The project site is more particularly described as being located at the northeast and southeast corners of Scripps Poway Parkway and Interstate 15 (I-15) Portion of Section 29 and Section 20, Township 14 South, Range 2 West.

CITY MANAGER SUPPORTING INFORMATION:

The Scripps Gateway project proposes a Progress Guide and General Plan Amendment, Community Plan Amendment, Rezone, Street Vacation and Easement Abandonment, Tentative Map, Planned Industrial Development, Planned Commercial Development, Planned Residential Development and Hillside Review Permit HRP-92-0466 to redesignate and rezone land uses, add a circulation element street, and develop a master planned neighborhood on a 242.1-acre site which includes industrial, commercial, single and multi-family residential uses, and a park and ride facility.

The City Manager recommends certification of the EIR and adoption of the Mitigation Monitoring and Reporting Program, and Findings and Statement of Overriding Considerations; adoption of the Progress Guide and General Plan Amendment, and Community Plan Amendment; approval of the Rezone, Street Vacation and Easement Abandonment, Tentative Map, Planned Industrial/Commercial/Residential Development and Hillside Review Permit HRP-92-0466. Draft permit, condition 39 addresses the affordable housing requirement of the Development Agreement, Document No. OO-17587.

The Miramar Ranch North Planning Committee, taking second vote on July 21, 1998, recommends denial of the project.

On July 30, 1998, the Planning Commission voted unanimously (4-0-0) to recommend to the City Council support of the Manager's recommendation, subject to the conditions of approval described in the draft Tentative Map and Draft Permit 92-0466.

Two corrections are required to Planning Report P-98-147 on page 3. The project proposes no fewer than 266 single-family dwelling units and 1.8 acres of commercial development, not 226 single-family dwelling units and 1.6 acres as indicated in the written text.

FILE LOCATION: Subitems A, C, E and F: LAND-Progress Guide and General Plan; Miramar Ranch North; Scripps Gateway (9)
Subitem B: NONE; Subitem D: STRT J-2890

COUNCIL ACTION: (Tape location: C178-480.)

Hearing began at 11:54 a.m. and halted at 12:13 p.m.

Testimony in favor by Richard Gustafson, Bob Dingman, and Claudia Unhold.

MOTION BY WARDEN TO ADOPT SUBITEMS A, C AND D; ADOPT SUBITEMS E AND F TO APPROVE THE PERMITS AND MAP; AND

INTRODUCE THE ORDINANCE IN SUBITEM B. APPROVAL OF THE PROJECT IS BASED ON THE FOLLOWING CONDITIONS:

1. SHEA HOMES WILL CONSTRUCT A POCKET PARK IN THEIR SINGLE FAMILY DEVELOPMENT. THE PARK WILL BE CONSTRUCTED ON THREE OF SHEA'S SINGLE-FAMILY LOTS, TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.

2. WITHIN THE AREA DESCRIBED BY TENTATIVE MAP 92-0466, UNIT 4, LOT 1 AND BEING RE-ZONED FROM M-IP (MANUFACTURING INDUSTRIAL PARK) TO CA (AREA SHOPPING CENTER), ALL LAND USES SHALL BE RESTRICTED BY THIS PERMIT AND THROUGH A FUTURE PLANNED COMMERCIAL DEVELOPMENT PERMIT TO ONLY THOSE USES ALLOWED IN THE CR (COMMERCIAL RECREATION) UNTIL DECEMBER 31, 2002. IF AFTER DECEMBER 31, 2002, THE SITE HAS NOT BEEN ENTITLED TO DEVELOP IN ACCORDANCE WITH MUNICIPAL CODE SECTION 101.0910, ALL COMMERCIAL USES ALLOWED IN THE CA ZONE MAY BE ENTITLED TO DEVELOP IN ACCORDANCE WITH MUNICIPAL CODE SECTION 101.0910.

3. SHEA WILL PROVIDE INCREASED LANDSCAPING AND IMPROVED SOUNDWALLS AROUND THE SINGLE-FAMILY PROJECT.

4. SHEA HAS AGREED TO PROVIDE LIGHTING ON THE PLAYFIELDS ADJACENT TO MARSHALL MIDDLE SCHOOL TO ALLOW EVENING USE.

5. SHEA WILL MAKE A FAIR SHARE CONTRIBUTION TO IMPROVEMENTS AT SCRIPPS RANCH BOULEVARD AND MIRA MESA BOULEVARD. THIS INCLUDES A CONTRIBUTION OF \$25,000 TO RE-STRIPE THE TRAFFIC LANES, IMPROVING CIRCULATION.

6. DIRECT THE CITY MANAGER TO HAVE TRAFFIC ENGINEERING WORK WITH THE DISTRICT FIVE OFFICE OVER THE NEXT SIX MONTHS TO LOOK AT THE SCRIPPS POWAY PARKWAY/MERCY ROAD/I-15 INTERCHANGE. THE GROUP WOULD INCLUDE REPRESENTATIVES FROM MIRAMAR RANCH NORTH, SCRIPPS RANCH, AND CAL TRANS TO STUDY TRAFFIC ISSUES IN THE AREA AND IDENTIFY SOLUTIONS, AS WE HAVE DONE SO SUCCESSFULLY IN SORRENTO VALLEY. SHEA HOMES HAS AGREED TO CONTRIBUTE THE SERVICES OF THEIR TRAFFIC

CONSULTANT TO THIS EFFORT AND WILL TAKE AN ACTIVE PART IN THE DISCUSSIONS. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-334:

SUBJECT: Bond Issuance for Lancaster Manor Apartments.

(See San Diego Housing Commission Report HCR-98-104.
District-8.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-309) ADOPTED AS RESOLUTION R-290781

Approving the issuance of Multifamily Housing Revenue Bonds by the California Statewide Communities Development Authority.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-335:

SUBJECT: Approval of FY98 CDBG Agreement with Housing Commission.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-99-308) ADOPTED AS RESOLUTION R-290782

Authorizing the City Manager to execute an FY98 Community Development Block Grant (CDBG) Agreement with the San Diego Housing Commission for the use of \$4,302,495 of CDBG funds in accordance with previous City Council funds allocation;

Authorizing the City Auditor and Comptroller to reprogram prior-year CDBG funds in an amount not to exceed \$1,551,575 to the FY98 program year, and to appropriate the funds for the FY98 (FY99) CDBG Agreement with the Housing Commission;

Authorizing the expenditure of an amount not to exceed \$4,302,495 for providing funds for the following projects: Housing Rehabilitation, Housing Finance, Housing Development, Loan Management, Programs and Policy, Construction Services, Pulitzer Public Housing Learning Center Construction, Low-Income Housing Drainage Improvements, Targeted Rehabilitation (Council District 4), First-Time Homebuyers' Assistance Program, Latino Builders Industry Association's Residential Rehabilitation Program, Lutheran Social Services' Home Safety Repair Program, San Diego Neighborhood Housing Services' Program Support, Labor's Community Service Agency's Home Safety Program, Alpha Project's "Take Back the Streets" Program, Ocean Beach Community Development Corporation's Housing, Bayview Community Development Corporation's Program Support, Sherman Heights Homesteading Program, Christmas in April of Greater San Diego Program Support, The Association for Community Housing Solutions' "Reese Village" Development, San Diego Youth and Community Services'

Program, Lincoln Park Housing Cooperative's
Homeownership Training Program, and City Heights
Landlord Training Program.

Aud. Cert. 9900248.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-336:

SUBJECT: Maravilla 1: Matter of a proposed Rezone of Parcel 2
of Map-16469 from MV-M/SP (Mission Valley-Multiple Use
Specific Plan) to MV-CV (Mission Valley Commercial
Visitor) and Mission Valley Planned District/Resource
Protection Ordinance Permits to construct a two
building, four story, 204 unit Extended Stay America
Hotel.

(RZ/MVP/RPO-96-7233. Mission Valley Community Plan
Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem C to grant the permit; and
introduce the ordinance in Subitem B:

Subitem-A: (R-99-278) ADOPTED AS RESOLUTION R-290783

Adoption of a Resolution certifying that the
information contained in Mitigated Negative Declaration
LDR-96-7233 has been completed in compliance with the

California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate Findings of Mitigation, Feasibility or Project Alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-99-46) INTRODUCED, TO BE ADOPTED
OCTOBER 19, 1998

Introduction of an Ordinance to rezone a 4.55 acre parcel to MV-CV.

Subitem-C: (R-99-745) ADOPTED AS RESOLUTION R-290784
GRANTING THE PERMIT

Adoption of a Resolution granting or denying the Mission Valley Planned District/Resource Protection Ordinance Permit MVP/RPO-96-7233.

SUPPORTING INFORMATION:

Matter of a proposed Rezone of Parcel 2 of Map-16469 from MV-M/SP (Mission Valley-Multiple Use Specific Plan) to MV-CV (Mission Valley Commercial Visitor) and Mission Valley Planned District/Resource Protection Ordinance Permits to construct a two building, four story, 204 unit Extended Stay America Hotel with a two level parking deck garage and a total of 228 parking spaces in the 2000 block of Hotel Circle South adjacent to the east side of the Ramada Inn in the Mission Valley Community Plan Area.

LEGAL DESCRIPTION:

The subject property is more particularly described as being located south of Hotel Circle South between I-5 and State Route 163 within the Mission Valley Community.

CITY MANAGER SUPPORTING INFORMATION:

The applicant proposes to construct a 204 unit extended stay hotel on a 4.55 acre parcel in Mission Valley. Although the driveway portion of the proposed project is located within the area planned for the Los Cumbres/I-8 interchange, the hotel has been designed to be functional with or without the interchange. The site is undeveloped, although a Planned Commercial Development (PCD) and Tentative Parcel Map for a hotel project on this site were approved by the Planning Commission in 1989. The subject property is adjacent to but outside of the MHPA boundary and is designed to avoid impacts to sensitive habitat within the MHPA.

The proposed Rezone and Mission Valley Planned District/Resource Protection Ordinance Permit are consistent with the General Plan and the Mission Valley Community Plan and the project meets all the requirements of the Mission Valley Planned District Ordinance and the Resource Protection Ordinance.

Planning Commission Recommendation: On July 23, 1998, the Planning Commission voted 5 to 1 to recommend City Council approval of Rezone and Mission Valley Planned District/Resource Protection Ordinance Permit 96-7233 and to certify the Mitigated Negative Declaration (MND) and approve the Mitigation, Monitoring and Reporting Program (MMRP). The Commission expressed concern with the architectural design/theme of the hotel.

Manager's Recommendation: Approve Rezone and Mission Valley Planned District/Resource Protection Ordinance Permit 96-7233 subject to the conditions in the permit and certify the MND and approve the MMRP.

Community Planning Recommendation: On March 4, 1998, the Mission Valley Community Planning Group recommended approval of the project by a vote of 13 in favor, 0 against and 1 abstention.

Housing and Affordability Impact: The rezone from MV-M/SP to MV-CV would not have an impact on housing and affordability.

Public Noticing Required: Always list and within 300 feet.

FILE LOCATION: Subitems A and C: PERM-96-7233 (65)
Subitem B: NONE

COUNCIL ACTION: (Tape location: C481-D040.)

The hearing began at 12:14 p.m. and halted at 12:25 p.m.

Testimony in opposition by Randy Berkman.

Testimony in favor by Michael Gallen and Janay Kruger.

MOTION BY STALLINGS TO ADOPT THE RESOLUTION FOR SUBITEM A;
ADOPT THE RESOLUTION FOR SUBITEM B GRANTING THE PERMIT; AND
TO INTRODUCE THE ORDINANCE FOR SUBITEM B. Second by
Stevens. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not
present.

* ITEM-S500:

SUBJECT: Airport Improvement Project.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-388) ADOPTED AS RESOLUTION R-290785

Authorizing the City Manager to accept the Federal Aviation Administration Grant offer of \$1,500,000 for the Airport Improvement project at Montgomery Field Airport;

Amending FY99 CIP Budget to add CIP-31-332.0, Montgomery Field - Airports Rehab 2000;

Authorizing the transfer of \$83,333 from Fund 41100, Airport Fund Balance to CIP-31-332.0, Montgomery Field - Airport Rehab 2000 for the City Match;

Authorizing the expenditure of \$1,583,333 for the Airport Improvement Program from CIP-31-332.0, Montgomery Field - Airport Rehab 2000;

Authorizing the City Manager to apply and accept, if awarded, the State Grant in the amount of \$83,333 for the Airport Improvement Project at Montgomery Field.

CITY MANAGER SUPPORTING INFORMATION:

The Montgomery Field Airport Plan, adopted July 10, 1994, suggested that the existing airport lighting system be rehabilitated. The Airport Master Plan, Environmental Impact Report EIR-80-09-34C analyzed potentially significant impacts of the Master Plan. The City of San Diego Annual Budget for Fiscal Year 1997, Capital Improvements Program, identified this airport improvement project. The existing electrical system for runways and taxiways is old and needs considerable repair. Rehabilitation will upgrade the entire system to accommodate added loads on the electrical vault due to additional power to be used for new lighted signage, also included in this project. This project will enhance safety for pilots operating on Runways 29R/10L at Montgomery Field Airport. The Airport Advisory Committee fully supports this much needed project.

FISCAL IMPACT:

None, if the grant is not accepted. If grant is accepted, the project cost is estimated to be \$1,666,666 of which 90% is reimbursable from the FAA and 5% is reimbursable from the State of California.

Loveland/Griffith/TLW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A503-B199.)

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ADJOURNMENT:

The meeting was adjourned by deputy Mayor Wear at
12:29 p.m. in honor of the memory of:

Florence Griffith Joyner as requested by Mayor
Golding;

Louis M. Karp as requested by Deputy Mayor Wear;

Paul Campbell as requested by Councilmember
Stallings;

Alice Quincey as requested by Councilmember
McCarty;

Martin Miller as requested by Councilmember
McCarty;

Joe McMahan as requested by Councilmember McCarty;
and

Tom Bradley as requested by Councilmembers Kehoe
and Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D041-094.)